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Attorneys for JASON VOMACKA, Plaintiff

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JASON VOMACKA,

Plaintiff,

v.

ROMOLO CAPPELLO and ANGELA  
CAPPELLO, collectively in their individual  
and representative capacities as trustees of  
the CAPPELLO FAMILY TRUST;  
RAYMOND WANG, an individual, d/b/a  
SLIDERS BURGERS; and DOES 1-10,  
inclusive,

Defendants.

**Case No. 5:17-CV-02620-EJD  
Civil Rights**

**STIPULATION OF DISMISSAL  
WITH PREJUDICE AND  
~~(PROPOSED)~~ ORDER  
[F.R.C.P. §§ 41(a)(1)(ii)]**

**FACTS**

Plaintiff JASON VOMACKA and Defendants ROMOLO CAPPELLO and ANGELA  
CAPPELLO, collectively in their individual and representative capacities as trustees of the  
CAPPELLO FAMILY TRUST; RAYMOND WANG, an individual, d/b/a SLIDERS  
BURGERS, by and through their attorneys of record or other representative, file this Stipulation  
and Order of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure §§

1 41(a)(1)(ii)(2). Plaintiff filed this lawsuit on May 05, 2017. Defendants, some of whom have  
2 answered the first amended complaint, agree to the dismissal with prejudice. Plaintiff and  
3 Defendants further stipulate that each party shall pay its own attorneys' fees and costs.

4 Defendants have agreed to remedy all known ADA violations identified in EXHIBIT A of  
5 the settlement agreement executed by the parties.

6 This case is not a class action, and no receiver has been appointed.

7 Wherefore, Plaintiff and Defendants, by and through their attorneys of record and/or  
8 authorized representative, so stipulate.  
9

10 DATED: June 06, 2018 By: /s/ Kenneth J. Pinto  
11 KENNETH J. PINTO  
12 Attorneys for Plaintiff RICHARD JOHNSON  
13

14 DATED: June 06, 2018 BY: /s/ Sarahann Shapiro  
15 SARAHANN SHAPIRO  
16 Attorney for Defendant ROMOLO CAPPELLO and  
17 ANGELA CAPPELLO, collectively in their individual and  
representative capacities as trustees of the CAPPELLO  
FAMILY TRUST

18 DATED: June 06, 2018 BY: /s/ RICHARD SCHRAMM  
19 RICHARD SCHRAMM  
20 Attorney for Defendant ; RAYMOND WANG dba  
SLIDERS BURGER  
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1 **FILER'S ATTESTATION**

2 Pursuant to Local Rule 5-1, I hereby attest that on June 06, 2018, I, Kenneth J. Pinto,  
3 received the concurrence of Sarahann Shapiro, Esq. in the filing of this document.  
4

5 Pursuant to Local Rule 5-1, I hereby attest that on June 06, 2018, I, Kenneth J. Pinto,  
6 received the concurrence of Richard Schramm, Esq. in the filing of this document.  
7

8 By: /s/ Kenneth J. Pinto  
9 KENNETH J. PINTO  
10

11 **PROPOSED ORDER**  
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14 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

- 15 1. The lawsuit against Defendants is dismissed with prejudice.  
16 2. Each party shall pay its own attorneys' fees and costs in this action.  
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18 Dated: 6/7/2018



19 Hon. Edward J. Davila  
20 United States District Judge  
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